

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 JOSEPH ARTHUR RODRIGUEZ,

4 No. C 05-5068 SBA (PR)

5 Plaintiff,

**ORDER DIRECTING UNITED STATES
MARSHAL TO PERSONALLY SERVE
DEFENDANT MICHAEL S. EVANS
PURSUANT TO FRCP 4(e)(2)**

6 v.

7 M. S. EVANS, et al.,

8 Defendant.

9 _____/

10 This Order concerns the matter of service upon Defendant Michael S. Evans, identified by

11 Plaintiff as a warden at Salinas Valley State Prison (SVSP).

12 Good cause appearing therefor, the United States Marshal is hereby ORDERED to attempt to

13 effect personal service upon Defendant Evans. The United States Marshal shall serve Defendant

14 Evans "personally" or serve an agent of Defendant Evans "authorized by appointment or by law to

15 receive service of process." Fed. R. Civ. P. 4(e)(2).

16 The Clerk shall provide the United States Marshal with the necessary summons and copies

17 of: (1) the complaint (docket no. 1) as well as copies of all attachments thereto; and (2) a copy of

18 this Order. The United States Marshal shall attempt personal service at that address within **fourteen**

19 **(14) days.** The Clerk shall include on the summons form, USM 285, the following special

20 instructions:

21 Pursuant to Rule 4(e)(2), the United States Marshal shall serve Warden M. S. Evans

22 "personally" or serve an agent of Warden M. S. Evans "authorized by appointment or

23 by law to receive service of process." Fed. R. Civ. P. 4(e)(2). The address for such

service shall be at Folsom State Prison, 300 Prison Road, Represa, CA 95671.

24 IT IS SO ORDERED.

25 DATED: 1/26/09

Saundra B. Armstrong
26 SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4
5
6 RODRIGUEZ,
7 Plaintiff,
8 v.
9 EVANS et al,
10 Defendant.

Case Number: CV05-05068 SBA

CERTIFICATE OF SERVICE

11
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
Northern District of California.

13 That on January 27, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
in the Clerk's office.

16
17 Joseph Arthur Rodriguez K66400
18 California Correctional Institution
P.O. Box 1902
19 Tehachapi, CA 93581

20 Dated: January 27, 2009

21 Richard W. Wiekking, Clerk
By: LISA R CLARK, Deputy Clerk
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